

## UNITED STATES DISTRICT COURT

for the

Eastern District of Washington

In Re AMERICANWEST BANCORPORATION,

Debtor.

CAPPELLO CAPITAL CORP.,

Plaintiff

v.

AMERICANWEST BANK, et al.,

)  
)  
)  
)  
)

Civil Action No. CV-11-449-LRS

Defendant

## JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) \_\_\_\_\_ recover from the  
defendant (*name*) \_\_\_\_\_ the amount of  
\_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment  
interest at the rate of \_\_\_\_\_ %, plus post judgment interest at the rate of \_\_\_\_\_ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_  
\_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_.

☒ other: The Court fully adopts the Report and Recommendation (ECF No. 292 in Adv. No. 11-80323-FPC). The Court previously adopted the Report and Recommendation (ECF No. 71) approving an amount of \$2,102,147.87. The Court now approves an additional \$260,512.74 in fees and costs, for a final award in favor of Defendant AmericanWest Bank in the amount of \$2,362,660.50, plus interest at 10%, accruing from the date of entry of the judgment.

This action was (*check one*):

☐ tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by Judge \_\_\_\_\_ without a jury and the above decision was reached.

☐ decided by Judge \_\_\_\_\_ on a motion for

Date: January 24, 2014

CLERK OF COURT

SEAN F. McAVOYs/ Penny Lamb

(By) Deputy Clerk

Penny Lamb